HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition (c) No. 1685 of 2007

Petitioner	:	Kumari Kaushilya Mannewar, D/o Shri Laxmi Prasad Mannewar, Aged about 20 years, R/o Bhairav Nagar, Mathepurena Raipur, C.G.
	Versus	
Respondents	:1.	State of Chhattisgarh, Through its Secretary, Department of Adim Jati Thatha Anusuchit Jati Vikas, D.K.S. Bhawan Raipur (C.G.)
	2.	Member, Secretary and Commissioner, Jati Praman Patra Uccha Estariya Chhanbin Samiti, Pt. Ravishankar Vishwavidalaya Parisar, Raipur, C.G.

SB : Hon'ble Shri Satish K. Agnihotri, J.

Present: Mr. Satendra Sahu, counsel for the petitioner.
Mr. Utkarsh Verma, Dy. Govt. Advocate for the respondents/State.

ORDER

(Passed on this 22nd day of March, 2007)

1. The petitioner claims to be a member of the Scheduled Tribe Caste i.e. Mannewar. The issue was decided by the Caste Scrutiny Committee vide order dated 23.09.2005 that the petitioner did not belong to the same community.

2. Earlier, the petitioner had filed a writ petition, being W.P. No. 5836 of 2005, before this Court to quash the order dated 23.09.2005, passed by the Caste Scrutiny Committee/Respondent No. 2. The said order was quashed vide order dated 31.03.2006 on the ground that no sufficient opportunity of hearing was afforded to the petitioner.

3. Thereafter, the petitioner had filed one more writ petition, being W.P. No. 2552 of 2006, before this Court seeking admission in the institution of Chhattisgarh Institute of Medical Science (CIMS) on the basis of the caste certificate of the petitioner i.e. Mannewar as the

same was cancelled vide order dated 24.9.2005, wherein this Court vide order dated 11th September, 2006 (P/1) passed the following order:-

> "In the result and for the foregoing reasons, the order (Annexure-P/4) made by the third respondent dated 24.09.2005 is set aside on the ground that the order was passed by the third respondent on the basis of the order of the Caste Scrutiny Committee dated 23.09.2005 which is already quashed. It is now open to the High Power Caste Verification Committee to proceed further and take a decision on the issue of the caste status of the petitioner after giving her fair opportunity to adduce evidence and of being heard and, thereafterwards, the third respondent depending upon the outcome of the enquiry of the State High Power Caste Verification Committee to decide whether the petitioner should be given admission or not. The writ petition is disposed of in the above terms. No costs."

4. The petitioner has filed this petition seeking a direction to the respondent No. 2 to dispose of the case of the petitioner, expeditiously, within a period of six weeks, so that the petitioner may appear in the Pre Medical Test for admission to M.B.B.S. Course.

5. In normal circumstances, this direction cannot be issued. However, keeping in view the fact that the petitioner has been moving the Caste Scrutiny Committee and this Court for about last two years, it is directed that the Caste Scrutiny Committee/Respondent No. 2 shall consider and decide the case of the petitioner, in accordance with law expeditiously, preferably, within a period of six weeks from the date of receipt of a copy of this Court.

6. With the aforesaid direction, this petition stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Bablu